

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

SAMUEL NISWONGER,	:	
Plaintiff,	:	Case No. 3:12-cv-374
vs.	:	Judge Thomas M. Rose
LIBERTY LIFE ASSURANCE	:	
COMPANY OF BOSTON,	:	
Defendant.	:	

**ENTRY AND ORDER GRANTING PLAINTIFF'S MOTION
FOR ATTORNEY'S FEES AND COSTS (ECF No. 29)**

Before the Court is Plaintiff's Motion For Attorney's Fees And Costs (ECF No. 29), which seeks an award of attorney's fees and non-taxable costs under 29 U.S.C. § 1132(g) of the Employee Retirement Income Security Act of 1974 (ERISA). Defendant Liberty Life Assurance Company of Boston has not opposed the motion, and the time for it to do so has expired. This matter is therefore ripe for review.

Upon review of the Motion For Attorney's Fees And Costs (ECF No. 29), its supporting memorandum, and the exhibits attached thereto, and noting that no objections have been filed, the Court finds that Plaintiff is entitled to the requested award of attorney's fees and non-taxable costs in the amount of \$61,779.00 under the standard set forth in *Hardt v. Reliance Standard Ins. Co.*, 130 S. Ct. 2149 (2010) and *Secretary of Dep't of Labor v. King*, 775 F.2d 666 (6th Cir. 1985). Accordingly, Plaintiff's Motion For Attorney's Fees And Costs (ECF No. 29) is **GRANTED** in the amount of \$61,779.00.

DONE and **ORDERED** in Dayton, Ohio, this Tuesday, August 19, 2015.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE